

AMENDED IN SENATE APRIL 16, 2008

AMENDED IN SENATE MARCH 26, 2008

SENATE BILL

No. 1673

Introduced by Senator Dutton

February 22, 2008

An act relating to state property, ~~and~~ making an appropriation therefor, *and declaring the urgency thereof, to take effect immediately.*

LEGISLATIVE COUNSEL'S DIGEST

SB 1673, as amended, Dutton. State property.

Existing

(1) Existing law authorizes the Director of General Services to dispose of state surplus property, subject to specified conditions, including authorization by the Legislature.

This bill would authorize the director to sell, exchange, or lease for fair market value upon those terms and conditions determined by the director, 9 specified parcels of state property. It would provide that the net proceeds of 8 of the conveyances would be paid into the Deficit Recovery Bond Retirement Sinking Fund Subaccount, which is a continuously appropriated subaccount in the Budget Stabilization Account, thereby making an appropriation. The net proceeds from one parcel would be subject to the reimbursement of federal equity financing. The bill would require reimbursement to the Department of General Services for any cost or expense incurred in the disposition of the property from the proceeds of the disposition. The surplus authorization for 7 specified parcels would be rescinded.

(2) *This bill would declare that it is to take effect immediately as an urgency statute.*

Vote: ~~majority~~^{2/3}. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Director of General Services may sell,
2 exchange, sell combined with an exchange, or lease for fair market
3 value and upon those terms and conditions as the Director of
4 General Services determines are in the best interest of the state,
5 all or any part of the following real property:
6 Parcel 1. Approximately .92 acres, located at 806 North Beaudry
7 Avenue, Los Angeles, Los Angeles County.
8 Parcel 2. Approximately 5.52 acres with improvements thereon,
9 known as the Fernwood Seed orchard, located in Humboldt County.
10 Parcel 3. Approximately 2 acres with improvements thereon,
11 known as the Manton Forest Fire Station, located on Ponderosa
12 Way, in Manton, Tehama County.
13 Parcel 4. Approximately .92 acres with improvements thereon,
14 known as the Hesperia Forest Fire Station, located at 16661 Yucca
15 Street, Hesperia, San Bernardino County.
16 Parcel 5. Approximately 2 acres with improvements thereon,
17 known as the Valley Center Forest Fire Station, located at 28741
18 Cole Grade Road, Valley Center, San Diego County.
19 Parcel 6. Approximately .33 acres with improvements thereon,
20 known as the San Marcos Forest Fire Station (Old) located at 236
21 Pico Avenue, San Marcos, San Diego County.
22 Parcel 7. Approximately 3 acre portion of the 5 acre parcel
23 known as the San Marcos Forest Fire Station (New), located at
24 Monticello Drive, Escondido, San Diego County.
25 Parcel 8. Approximately .39 acres located mid-block on the north
26 side of Golden Gate Avenue, between Gough and Franklin streets,
27 City of San Francisco, County of San Francisco.
28 Parcel 9. Approximately 1.74 acres with improvements thereon,
29 known as the EDD Indio Office, located at 47110 Calhoun
30 Boulevard, Indio, Riverside County.
31 SEC. 2. (a) Notices of every public auction or bid opening
32 shall be posted on the property to be sold under this act and shall
33 be published in a newspaper of general circulation published in
34 the county in which the real property to be sold is situated.

(b) (1) Any “as-is” sale, exchange, sale, sale combined with an exchange, or transfer of the parcels described in this act is exempt from Chapter 3 (commencing with Section 21100) to Chapter 6 (commencing with Section 21165), inclusive, of Division 13 of the Public Resources Code. However, the buyer or transferee of any of these parcels shall be subject to any local governmental entitlement or land use approval requirements, and that buyer or transferee shall be subject to the requirements of Chapter 3 (commencing with Section 21100) to Chapter 6 (commencing with Section 21165), inclusive, of Division 13 of the Public Resources Code.

(2) If any sale, exchange, sale combined with an exchange, or transfer is not an “as-is” sale and close of escrow is contingent on satisfying any local governmental approvals for entitlement or land use requirements, including compliance by the local government with Chapter 3 (commencing with Section 21100) to Chapter 6 (commencing with Section 21165), inclusive, of Division 13 of the Public Resources Code, then the execution of the purchase and sale agreement or exchange agreement is exempt from Chapter 3 (commencing with Section 21100) to Chapter 6 (commencing with Section 21165), inclusive, of Division 13 of the Public Resources Code.

SEC. 3. The Department of General Services shall be reimbursed for any cost or expense incurred in the disposition of any parcels from the proceeds of the disposition of those or any other surplus parcels.

SEC. 4. Any property in Section 1 sold pursuant to this act consisting of 15 acres or less, the Director of General Services shall except and reserve to the state all mineral deposits, as defined in Section 6407 of the Public Resources Code, below a depth of 500 feet, without surface rights of entry. As to property sold pursuant to this act consisting of more than 15 acres, the Director of General Services shall except and reserve to the state all mineral deposits, as defined in Section 6407 of the Public Resources Code, together with the right to prospect for, mine, and remove the deposits. The rights to prospect for, mine, and remove the deposits shall be limited to those areas of the property conveyed that the Director, after consultation with the State Lands Commission, determines to be reasonably necessary for the removal of the deposits.

1 SEC. 5. The net proceeds of any moneys received from the
2 disposition of Parcels 1 thru 8 described in Section 1 shall be
3 allocated consistent with Section 9 of Article III of the Constitution.
4 Proceeds received from the disposition of Parcel 9, known as the
5 Indio EDD office, shall be subject to the reimbursement of federal
6 equity financing.

7 SEC. 6. Notwithstanding any other provision of law that
8 declared the following property as surplus, the surplus authorization
9 is hereby rescinded for the following real property:

10 Parcel 1. Approximately 1.31 acres with improvements thereon
11 known as the Call Mountain Forest Fire Station, located at 20400
12 Panoche Road, Paicines, San Benito County.

13 Parcel 2. Approximately 345 acres known as the Porterville
14 Developmental Center, located at 26501 Avenue 140, Porterville,
15 Tulare County.

16 Parcel 3. Approximately .59 acres with improvements thereon,
17 known as the DFG Shasta Headquarters, located at 601 Locust
18 Street, Redding, Shasta County.

19 Parcel 4. Approximately .11 acres known as State Burial Grounds
20 located at Broadway and Riverside Boulevard, Sacramento City
21 Cemetery, Sacramento County.

22 Parcel 5. Approximately 77 acres with improvements thereon,
23 known as Patton State Hospital, located at 3102 E. Highland
24 Avenue, Patton, San Bernardino County.

25 Parcel 6. Approximately 1.3 acres with improvements thereon,
26 known as the Redding DMV office, located at 615 Locust Street,
27 Redding, Shasta County.

28 Parcel 7. Approximately 3.04 acres with improvements thereon,
29 known as the Concord Armory, located at 2929 Willow Pass Road,
30 Concord, Contra Costa County.

31 *SEC. 7. This act is an urgency statute necessary for the*
32 *immediate preservation of the public peace, health, or safety within*
33 *the meaning of Article IV of the Constitution and shall go into*
34 *immediate effect. The facts constituting the necessity are:*

35 *In order for the state to address its net cash deficit of fifteen*
36 *billion, one hundred million dollars (\$15,100,000,000), it is*
37 *necessary that this act take effect immediately.*